


TONY MARVIN MOORE,)
))
Plaintiff,)
))
v.) **ORDER**
))
FNU WEBB,)
Correctional Officer,)
))
Defendant.)
_____)

Plaintiff is a prisoner of the State of North Carolina and he filed a pro se complaint in this district pursuant to 42 U.S.C. § 1983 contending that his civil rights were violated by the defendant. In his letter, Plaintiff requests that this instant civil action “be dropped and no further action be taken.” (Id. at 1). Rule 41 of the Federal Rules of the Civil Procedure provides, in pertinent part, that a plaintiff may file a notice of dismissal without a court order before an opposing party has filed either an answer or a motion for summary judgment. Fed. R. Civ. P. 41(a)(1)(A)(i). In the present case, no answer or other pleading has been filed by the defendant. Accordingly, Plaintiff may dismiss his complaint as a matter of right and Plaintiff’s letter will be treated as a notice of voluntary dismissal.

The Clerk is respectfully directed to close this civil case.

IT IS SO ORDERED.

Signed: January 9, 2015



Frank D. Whitney
Chief United States District Judge

